IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4104 of 2005

For Approval and Signature:

HON'BLE MR.JUSTICE AKIL KURESHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MANJULABEN G.PATEL

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 4104 of 2005

MR NK MAJMUDAR for Petitioner No. 1

MR AR MAJMUDAR for Petitioner No. 1

MR SP HASURKAR, AGP for Respondent Nos. 1, 2

CORAM : HON'BLE MR.JUSTICE AKIL KURESHI

Date of decision: 29/04/2005

ORAL JUDGEMENT

RULE. Mr.Hasurkar, learned AGP, waives service for notice of rule on behalf of respondents. At the

joint request of the learned advocates appearing for the parties, the petition is taken up for final disposal today.

In the present petition, though the petitioner has made several prayers, learned counsel for the petitioner submits that the petitioner would be satisfied if the departmental proceedings pending against the petitioner are ordered to be concluded expeditiously.

A charge sheet dated 13-5-1999 was issued against the petitioner. It is the case of the petitioner that after issuance of the charge sheet no steps have been taken by the respondents to complete the inquiry. In fact, it is contended that no worthwhile progress has been made in the departmental proceedings even after six long years. In the meantime, the request of the petitioner for being permitted to retire on voluntary retirement basis came to be turned down on the ground that inquiry is pending against her.

Mr.Hasurkar, learned AGP, appearing for the respondents submitted that the respondents shall conclude the inquiry within a reasonable period.

Considering the submissions made, it is directed that the respondents shall examine whether after such a long gap of time it is necessary to proceed further with the inquiry and if found necessary to do so, conduct the inquiry expeditiously and conclude the same within a period of six months from the date of receipt of copy of this order.

With these directions, the petition is disposed of. Rule is made absolute to the above extent. No order as to costs.

Direct service is permitted.

(AKIL KURESHI, J.)
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